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Courtney C. Dippel

IN THE SUPREME COURT
OF THE STATE OF OREGON

In re the Conduct of:) Case No. 19-81
CRAIG WYMETALEK, Bar No. 964641) PETITION FOR SUSPENSION DURING
Respondent.) PENDENCY OF DISCIPLINARY PROCEEDINGS
(BR 3.1)

Pursuant to BR 3.1, the Oregon State Bar (Bar) petitions the Adjudicator for an order suspending Craig Wymetalek, Bar No. 964641 (Respondent), from the practice of law in Oregon pending the disposition of disciplinary charges filed against him as set forth in the Bar's amended formal complaint which was filed on October 25, 2019, a copy of which is attached to this petition. Disciplinary Counsel has determined probable cause exists that Respondent has engaged in misconduct, has evidence sufficient to establish a probable violation of one or more Rules of Professional Conduct, and reasonably believes that clients or others will suffer immediate and irreparable harm by the continued practice of law by Respondent.

While the amended formal complaint charges Respondent with violating five Rules of Professional Conduct (RPCs), two of the charged violations demonstrate the immediate threat Respondent poses to his clients and the public: committing three counts of criminal felony forgery (RPC 8.4(a)(2)), and intentionally making material misrepresentations and engaging in deceit and dishonest conduct (RPC 8.4(a)(3)).

As set forth in the Bar's accompanying Memorandum, from May 2017 through May 2018, Respondent intentionally made material misrepresentations to his client, David Schwartz (Schwartz), regarding the status of a post-judgment support modification matter Schwartz had hired Respondent to handle. Respondent's intentional misrepresentations were designed to mislead Schwartz into believing Respondent was diligently attending to the modification matter

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1 when, in fact, Respondent did nothing to advance his client's position between March 2017 and
2 October 2018. When Schwartz confronted Respondent about the lack of court action in May
3 2018, Respondent fabricated three court orders, forged the signatures of two different judges,
4 provided the forged orders to Schwartz, and blamed the court for the delay.

5 The serious nature of the pending charges against Respondent demonstrates a pattern of
6 behavior that warrants temporary suspension pursuant to BR 3.1. The continuation of the
7 practice of law by Respondent during the pendency of the disciplinary proceeding will, or is likely
8 to, result in immediate and irreparable harm to his clients and the public at large. See BR 3.1(a).

9 The Bar requests, after service of this petition and an opportunity for Respondent to
10 answer, if no answer is filed, that the Adjudicator grant the Bar's petition pursuant to BR 3.1(d)
11 and immediately suspend Respondent. If Respondent files an answer, the Bar requests that the
12 Adjudicator set a hearing date for this petition in accordance with BR 3.1(e).

13 Respectfully submitted this 25th day of October, 2019.

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15 OREGON STATE BAR

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